

WHAT IS CLAIMED IS:

Claim 1 - 26 canceled.

Claim 27. (new) A lithium metal oxide positive electrode for a non-aqueous lithium cell prepared in its initial discharged state having a general formula $x\text{LiMO}_2 \cdot (1-x)\text{Li}_2\text{M}'\text{O}_3$ in which $0 < x < 1$, and where M is more than one ion selected from V, Mn, Fe, Co, and Ni with an average oxidation state of three with at least one ion being Ni and where M' is one or more ions selected from Mn, Ti, Zr, Ru, Re, and Pt with an average oxidation state of four.

Claim 28 (new). The lithium metal oxide positive electrode according to Claim 27, where M is more than one ion selected from Mn, Co, and Ni with an average oxidation state of three with at least one ion being Ni, and where M' is one or more ions selected from Mn, Ti, and Zr with an average oxidation state of four.

Claim 29 (new). The lithium metal oxide positive electrode according to Claim 28, where M is more than one ion selected from Mn, Co, and Ni with at least one ion being Ni, and where M' is Mn.

Claim 30 (new). The lithium metal oxide positive electrode according to claim 1, wherein both the LiMO_2 and $\text{Li}_2\text{M}'\text{O}_3$ components are layered and the ratio of Li to M and M' is greater than one and less than two.